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Attorneys for the United States

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

CHARTER ARMS SHELTON, CT
(CHARTER 2000) PINK LADY OFF DUTY
REVOLVER, CAL:38, SN:16-30988,

WALTHER P22 CA PISTOL, CAL:22, SN:
WA272924,

PISTOL, UNKNOWN MANUFACTURER,
UNKNOWN TYPE, CAL: UNKNOWN,
SN: NONE, AND

F.N. (FN HERSTAL) FIVE-SEVEN
PISTOL, CAL: 57, SN:386313842,

Defendants.

2:21-MC-00069-MCE-JDP

**STIPULATION AND ORDER EXTENDING TIME
FOR FILING A COMPLAINT FOR FORFEITURE
AND/OR TO OBTAIN AN INDICTMENT
ALLEGING FORFEITURE**

It is hereby stipulated by and between the United States of America and potential claimant Elton Ward ("claimants"), by and through their respective counsel, as follows:

1. On or about December 6, 2020, claimant filed a claim in the administrative forfeiture proceeding with the Bureau of Alcohol, Tobacco, Firearms and Explosives with respect to the above-referenced firearms (hereafter "defendant firearms"), which were seized on or about October 6, 2020.

2. The Bureau of Alcohol, Tobacco, Firearms and Explosives has sent the written notice of intent to forfeit required by 18 U.S.C. § 983(a)(1)(A) to all known interested parties. The time has

1 expired for any person to file a claim to the defendant firearms under 18 U.S.C. § 983(a)(2)(A)-(E), and
2 no person other than claimant has filed a claim to the defendant firearms as required by law in the
3 administrative forfeiture proceeding.

4 3. Under 18 U.S.C. § 983(a)(3)(A), the United States is required to file a complaint for
5 forfeiture against the defendant firearms and/or to obtain an indictment alleging that the defendant
6 firearms are subject to forfeiture within ninety days after a claim has been filed in the administrative
7 forfeiture proceeding, unless the court extends the deadline for good cause shown or by agreement of the
8 parties. That deadline is March 5, 2021.

9 4. As provided in 18 U.S.C. § 983(a)(3)(A), the parties wish by agreement to extend to April
10 5, 2021, the time in which the United States is required to file a civil complaint for forfeiture against the
11 defendant firearms and/or to obtain an indictment alleging that the defendant firearms are subject to
12 forfeiture.

13 5. Accordingly, the parties agree that the deadline by which the United States shall be
14 required to file a complaint for forfeiture against the defendant firearms and/or to obtain an indictment
15 alleging that the defendant firearms are subject to forfeiture shall be extended to **April 5, 2021**.

16 Dated: 3/4/2021

PHILLIP A. TALBERT
Acting United States Attorney


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18 By: /s/ Kevin C. Khasigian
KEVIN C. KHASIGIAN
Assistant U.S. Attorney

19 Dated: 3/3/2021

20 /s/ Daniel L. Olsen
DANIEL L. OLSEN
Attorney for potential claimant
Elton Ward
Abrate & Olsen Law Group
655 University Ave, Suite 230
Sacramento, CA 95825
(Signature authorized by phone)

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24 **IT IS SO ORDERED.**

25 Dated: March 11, 2021

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28 MORRISON C. ENGLAND, JR.
SENIOR UNITED STATES DISTRICT JUDGE